

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 23-md-03084-CRB (LJC)

MASTER ORDER NO. 4

This Order Relates To:

ALL ACTIONS

This order establishes the privilege review protocol for remaining privilege disputes not addressed by Master Order No. 2 and Master Order No. 3. The parties are reminded to be judicious and disciplined in their designations and challenges, including those with respect to redacted documents. The parties' respective approaches will be taken into consideration when assessing the allocation of costs at the conclusion of the review process.

The deadline for all items below is 4 PM PST. Objections to determinations of the Master for all categories below are due within seven days of the determinations.

I. Review Protocol E:

a) Challenges to Uber's March 14, 2025 and March 24, 2025 Privilege Logs

For challenges to Uber's March 14, 2025 and March 24, 2025 privilege logs, the parties shall meet and confer on or before May 8, 2025. Plaintiffs shall provide a final list of challenges to the Master and to Uber on or before May 9, 2025. Uber shall make available to the Master all challenged documents on or before May 12, 2025. The parties may, but are not required to, submit briefing on or before May 16, 2025.

b) Remaining Challenges to Uber's Privilege Logs through March 3, 2025

For all remaining challenges to Uber's privilege logs through March 3, 2025, plaintiffs shall provide an updated list of challenges to Uber on or before May 9, 2025. The parties shall meet and confer on or before May 15, 2025. Plaintiffs shall provide a final list of challenges to the Master and to Uber on or before May 16, 2025. Uber shall make available to the Master all challenged documents on or before May 19, 2025. The parties may, but are not required to, submit briefing on or before May 23, 2025.

c) Challenges to Privilege Logs issued after March 24, 2025 through May 7, 2025

For challenges to Uber's privilege logs issued after March 24, 2025 through May 7, 2025, plaintiffs shall provide an updated list of challenges to Uber on or before May 23, 2025. The parties shall meet and confer on or before May 29, 2025. Plaintiffs shall provide a final list of challenges to the Master and to Uber on or before May 30, 2025. Uber shall make available to the Master all challenged documents on or before June 2, 2025. The parties may, but are not required to, submit briefing on or before June 6, 2025.

II. Review Protocol F: Challenges to Uber's Privilege Logs Issued after May 7, 2025

For challenges to Uber's privilege logs issued after May 7, 2025, plaintiffs shall provide a list of challenges to Uber within seven days after the log is produced. The parties shall meet and confer within seven days after the list of challenges are provided to Uber. Plaintiffs shall submit the final list of challenges to the Master and Uber within two days after the meet and confer. Uber shall make available to the Master all challenged documents within two days of receiving the final list of challenges. The parties may, but are not required to, submit briefing four days after the final list of challenges is submitted.

III. Privilege Clawback Review Protocol

On April 23, 2025, Uber provided to plaintiffs an omnibus clawback list. Uber has since identified 54 documents from that list that are no longer subject to clawback.

Plaintiffs have challenged clawbacks for which Uber had already provided all relevant information before April 29, 2025.¹ The parties shall meet and confer regarding these challenges on or before May 8, 2025. Plaintiffs shall provide a final list of challenges to the Master and to Uber on or before May 9, 2025. Uber shall make available to the Master all challenged documents on or before May 12, 2025. The parties may, but are not required to, submit briefing four days after the final list of challenges is submitted.

Plaintiffs have also challenged clawbacks for which Uber provided all relevant information as of May 5, 2025 but after April 29, 2025.² The parties shall meet and confer regarding these challenges on or before May 29, 2025. Plaintiffs shall provide a final list of challenges to the Master and to Uber on or before May 30, 2025. Uber shall make available to the Master all challenged documents on or before June 2, 2025. The parties may, but are not required to, submit briefing four days after the final list of challenges is submitted.

For all clawbacks raised after the date of this order,³ plaintiffs shall provide a list of challenges to Uber within five days of receiving the clawback materials. The parties shall meet and confer within three days after the list of challenges are provided to Uber. If a dispute remains, the parties may raise the clawback challenge to the Master within two days of the meet and confer.

¹ These documents are referred to as “Category 2” clawbacks in plaintiffs’ Responses to the Master’s April 23, 2025 Requests (“Response”).

² These documents are referred to as “Category 3–5” clawbacks in plaintiffs’ Response.

³ Plaintiffs’ period to challenge any clawbacks noticed between April 23, 2025 and the date of this order shall begin as of the date of this order.

The parties may, but are not required to, submit briefing three days after the clawback challenge is submitted to the Master.

Dated: New York, New York
 May 6, 2025


HON. BARBARA S. JONES (Ret.)